

**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, May 27, 2010, 7:00 p.m.  
777 B Street, Hayward, CA 94541**

---

**MEETING**

The regular meeting of the Hayward Planning Commission was called to order at 7:05 p.m. by Vice Chair Loché.

**ROLL CALL**

Present: COMMISSIONERS: Márquez, Loché, Peixoto, Lavelle  
Absent: COMMISSIONER: McKillop, Thnay  
CHAIRPERSON: Mendall

Commissioner McKillop entered the Council Chambers at 7:28 p.m.

Commissioner Márquez led in the Pledge of Allegiance.

Staff Members Present: Conneely, Emura, Patenaude, Philis

General Public Present: 5

**PUBLIC COMMENTS**

None

**PUBLIC HEARING**

1. Conditional Use Permit Application No. PL-2010-0129 Ryan & Kim Thomason, M & F Auto Electric & Repair (Applicant) / Georgia Deterra (Owner) – Request to Permit Minor Automobile Repair - The Property is Located at 22101 Mission Boulevard

Vice Chair Loché explained to the applicants that they had the option of continuing the item to a future date because only four commissioners were present. He then introduced Assistant City Attorney Maureen Conneely who explained that a unanimous vote would be required for the motion to pass. Applicant Ryan Thomason asked if he could appeal the decision if it wasn't favorable and Ms. Conneely explained that he could appeal the decision to the City Council. Mr. Thomason indicated that he would like to proceed.

Associate Planner Carl Emura gave a brief synopsis of the report noting that one letter stating opposition to the application was received regarding potential automotive pollution concerns.

Commissioner Peixoto asked Associate Planner Emura if noise levels at the repair shop would exceed 60 decibels. Mr. Emura explained that keeping noise below 60 decibels is a condition of approval. Mr. Peixoto asked how that would be monitored and Mr. Emura said that if a noise complaint was

received, staff would take noise measurements. However, Mr. Emura pointed out that because of the nature of the repairs being conducted (electrical only), and that the work would be conducted indoors, he did not think noise from the shop would exceed ambient noise from Mission Boulevard. Commissioner Peixoto asked if there was any stipulation regarding graffiti removal and Mr. Emura said there was a general condition that required graffiti to be abated and confirmed for Mr. Peixoto that abatement should occur within 48 hours.

Commissioner Lavelle thanked Mr. Emura for the report and said she appreciated the landscaping requirement for the sake of the adjacent residential neighbors. Commissioner Lavelle asked Mr. Emura to explain the condition of approval that stated “Hot work shall be regulated by the Hayward Fire Department.” Mr. Emura explained that anytime welding takes place, the Fire Department would need to monitor safety procedures. Planning Manager Richard Patenaude explained that any process that involves an active flame is regulated by the Fire Department.

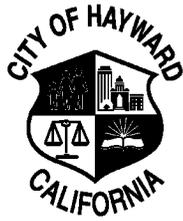
Commissioner Márquez asked Mr. Emura to confirm that the back of the garage visible from the parking lot of the proposed site belonged to the residential property next door. Commissioner Márquez pointed out that the garage acted like a buffer between the residence and the business.

Vice Chair Loché opened the Public Hearing at 7:20pm.

Commissioner Márquez asked the applicant, Mr. Thomason, how long the building had been vacant. Mr. Thomason said that, according to the broker, the building had been vacant since January. Commissioner Márquez asked if the cars in the showroom would be for sale or for display only. Mr. Thomason explained that because the vehicles he works on are classic, parts can take a week to a month to come in; the cars would be on display until the part was received. Mr. Thomason also said that he will display his own classic vehicle so there will always be something to see from Mission Boulevard. Commissioner Márquez asked Mr. Thomason if he would be hiring more personnel due to the expansion of his business to this new location. Mr. Thomason said during busy seasons he’s got a backlog of customers two to three weeks out, so his plan is to hire more mechanics and continue to grow.

Commissioner Peixoto confirmed that the business was formerly based in Castro Valley and asked Mr. Thomason why he chose to expand to Hayward. Mr. Thomason said the business has been in Castro Valley since 1950, and at the current address since 1989. He explained that the property in Castro Valley is being sold and while the owner offered to sell it to him, the asking price was too high. He said he explored other options in Castro Valley, but, he explained, Hayward was a great city and still close to his large customer base. Also, being on Mission Boulevard he said he hopes to attract new business.

Commissioner Peixoto asked Mr. Thomason if he would be making any other repairs on the classic cars other than electrical. Mr. Thomason said electrical work is their specialty. Mr. Thomason replied that there would be absolutely no painting or other repairs. Finally, Commissioner Peixoto asked the applicant if he had any problem or concern regarding the stated conditions of approval and Mr. Thomason said besides the owners’ concern about cutting the concrete in the parking lot for the required trees, he did not. Mr. Thomason agreed with Commissioner Peixoto that the appearance of the business was important. Mr. Thomason also confirmed that he would be diligent about removing any graffiti.



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, May 27, 2010, 7:00 p.m.  
777 B Street, Hayward, CA 94541**

---

Commissioner Lavelle mentioned to the applicant that the Chamber of Commerce has a classic car show downtown on the third Thursday of each month during the summer. Mr. Thomason said he had been to the show and will be including his own car this year. Commissioner Lavelle asked him if he specialized in any particular type of car and Mr. Thomason said he specializes in Asian and domestic.

Vice Chair Loché asked Mr. Thomason if the hours of operation as stated on the application, Mon.-Sat. 7:30a.m. to 5:30p.m., were acceptable and Mr. Thomason said they were fine. Planning Manager Patenaude explained that staff recommended those expanded hours should the business owner wish to use them for the convenience of customers dropping off or picking up vehicles.

Vice Chair Loche closed the Public Hearing at 7:29 p.m.

Commissioner Peixoto made a motion to find the proposed project categorically exempt from the California Environmental Quality Act (CEQA) Guidelines, Section 15301, Existing Facilities, and approve the Use Permit application, subject to all findings and conditions of approval. Commissioner Lavelle seconded the motion.

Commissioner Márquez said she will be supporting the motion and was pleased with the conditions of approval. Regarding the letter received speaking against the application, she said the conditions of approval have addressed potential noise and pollution issues. She said she approved of the project and appreciated the applicant bringing the business to Hayward.

Commissioner McKillop apologized for her tardiness and said she read the report and was happy to be there to support the motion.

Vice Chair Loché said he would be supporting the motion and that he liked to see new businesses in Hayward. He said he appreciated that the applicant was agreeable to the conditions of approval and that he looked forward to seeing classic cars on Mission Boulevard.

There being no other comments, the motion passed 5:0:2 with the following vote:

AYES:	Commissioners McKillop, Márquez, Loché, Peixoto, Lavelle
NOES:	None
ABSENT:	Commissioner Thnay Chair Mendall
ABSTAINED:	None

**COMMISSION REPORTS:**

2. Oral Report on Planning and Zoning Matters

Planning Manager Patenaude told the Commissioners that the next scheduled meeting is June 24, 2010, with two items on the agenda. The first item is a work session on the Mission Boulevard Corridor Specific Plan, where the Commissioners will see the initial recommendation coming out of the charrette process, he said, and the second item is an appeal regarding a mono-pole telecommunications tower located at Stonebrae.

Mr. Patenaude also reported on the Volunteer Open House that was held at City Hall on Monday, May 24, 2010, where he and Chair Mendall and Commissioner Peixoto spoke to several potential commissioners. Along those same lines, Mr. Patenaude said he's heard some concern expressed from Commissioners about serving as an officer of the Planning Commission. He explained that serving as the Chair or Vice Chair was not required and that if a Commissioner had a concern they should speak to him or the Chair.

3. Commissioners' Announcements, Referrals

Commissioner Márquez reminded the viewing audience to vote on June 8<sup>th</sup> or send in their absentee ballots.

**APPROVAL OF MINUTES**

4. Minutes from April 15, 2010 were unanimously approved.

**ADJOURNMENT**

Vice Chair Loche adjourned the meeting at 7:37 p.m.

**APPROVED:**

---

Elisa Márquez, Secretary  
Planning Commissioner

**ATTEST:**

---

Suzanne Philis, Senior Secretary  
Office of the City Clerk